United States District Court
Northern District of New York

Lawrence K. Baerman
Clerk
(315) 234-8502

100 S. Clinton Street
P.O. Box 7367
Syracuse, N.Y. 13261-7367

January 21, 2009

Clerk of the Court
United States District Court
Lloyd D. George United States
Courthouse, 1st Floor
333 Las Vegas Boulevard South
Las Vegas, NV 89101-7065

2009 FEB -2 P 1:38

Re: USA v. Cuong Nguyen
NDNY Case # 97-CR-199 (TJM)

2:09cr9 RLH-PAL

Dear Clerk:

Please be advised that pursuant to the Transfer of Jurisdiction Order issued in this action, the above referenced action is hereby transferred to the District of Nevada for jurisdiction over the defendant for supervised release/probation. Enclosed please find the Transfer Order, and certified copies of the Superseding Indictment, Amended Judgment and Docket Sheet.

Please acknowledge receipt of this transfer by returning a date stamped copy of this letter in the enclosed self addressed envelope. For your reference your case docket number is 2:09-CR-06(RLH/PAL).

Respectfully,

Lawrence K. Baerman, Clerk

s/

Melissa Ennis, Deputy Clerk

cc: Thomas A. Capezza, AUSA - USAO (NDNY) (with limited enclosures)
Timothy R. Keohane - USPO (NDNY) (with limited enclosures)
USAO (NV) - (with limited enclosures)
USPO (NV) - (with limited enclosures)

UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
DISTRICT OF NEVADA
LLOYD D. GEORGE US COURTHOUSE
333 LAS VEGAS BOULEVARD SOUTH
LAS VEGAS, NEVADA 89101
(702) 464-5400

LANCE S. WILSON
CLERK OF COURT

CYNTHIA K. JENSEN
CHIEF DEPUTY, LAS VEGAS

JAKE HERB CHIEF
DEPUTY, RENO

January 15, 2009

Northern District of New York USDC
James M. Hanley Federal Bldg, 7th Floor
100 South Clinton Street
Syracuse, NY 13261-7367

Re: Transfer of Probation

Case Name: USA v Larry Miller

Your Case Number: 5:97-CR-0199-001

Our Case Number: 2:09-CR-0009 RLH-PAL

Dear Clerk:

On 01-14-2009, this court accepted transfer of jurisdiction on the above-listed defendant. In order to open the case in our court, please send us certified copies of the Indictment(s)/Information(s) and Judgment from your district. Find attached a copy of the Probation 22 form signed by both jurisdictions.

*****District of Nevada is currently using CM/ECF and Judges now sign documents electronically*****

Lance S. Wilson, Clerk

By: /s/ Eileen Sterba

Deputy Clerk
U.S. District Court
District of Nevada, Las Vegas

Please return the enclosed copy of this letter with your case number.

Date Received: January 26, 2009

Your Case Number: 5:97-CR-199-001

PROB 22
(Rev. 2/88)

TRANSFER OF JURISDICTION

DOCKET NUMBER *(Tran. Court)*
5:97CR00199-001

DOCKET NUMBER *(Rec. Court)*
2:09-cr-06-RLH-PAL

NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE:

Larry Miller

Las Vegas, Nevada

U.S. DISTRICT COURT - N.D. OF N.Y.
FILED
JAN 20 [illegible]
AT____ O'CLOCK______
Lawrence K. Baerman, Clerk - Syracuse

DISTRICT
NORTHERN DISTRICT OF NEW YORK

DIVISION
Syracuse

NAME OF SENTENCING JUDGE
Thomas J. McAvoy

DATES OF PROBATION/SUPERVISED RELEASE:	FROM	TO
	11/4/08	11/3/11

OFFENSE

18 U.S.C.§ 1956(h) Conspiracy to Commit Money Laundering

PART 1 - ORDER TRANSFERRING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE "NORTHERN DISTRICT OF NEW YORK"

IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of the Court to the United States District Court for the DISTRICT OF NEVADA upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.*

12/19/08
Date

[signature: Thomas J. McAvoy]
Senior United States District Judge

*This sentence may be deleted in the discretion of the transferring Court.

PART 2 - ORDER ACCEPTING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.

January 14, 2009
Effective Date

[signature: Roger L. Hunt]
Chief United States District Judge

Transfer Documents

5:97-cr-00199-TJM USA, et al v. Miller, et al **CASE CLOSED on 02/05/2002**
CLOSED

U.S. District Court

Northern District of New York - Main Office (Syracuse) [LIVE - Version 3.2.2]

Notice of Electronic Filing

The following transaction was entered on 1/21/2009 at 11:51 AM EST and filed on 1/21/2009

Case Name: USA, et al v. Miller, et al
Case Number: 5:97-cr-199
Filer:
Document Number: 1265

Docket Text:
Probation Jurisdiction Transferred to the District of Nevada as to Larry Miller, Transmitted Transfer of Jurisdiction form, with certified copies of Superseding Indictment, Amended Judgment and the Docket Sheet. (Attachments: # (1) Transfer Letter) (mae)

5:97-cr-199-1 Notice has been electronically mailed to:

Bradley D. Simon (Terminated) bradsimon@simonlawyers.com, terryjohnson@simonlawyers.com

Brian M. Melber bmm@personiusmelber.com

Craig P. Schlanger (Terminated) schlangerlaw@aol.com

Edward Z. Menkin (Terminated) edmenkin@cnymail.com

Emil M. Rossi (Terminated) emr@rossi-law-office.com, grc@rossi-law-office.com

Eric J. Gustafson ericj@pgnylaw.com

George F. Hildebrandt (Terminated) george@georgehildebrandt.com

Gregory A. West gregory.west@usdoj.gov, Deanna.L.Lieberman@usdoj.gov

James F. Greenwald (Terminated) james.greenwald@fd.org, fpdnynsyr@choiceonemail.com, james.egan@fd.org, valarie.bruni@fd.org

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John A. Piasecki (Terminated) johnpiaseckilawoffice@yahoo.com

Jonathan J. Miller (Terminated) LITIGATE@VERIZON.NET

K. Michael Sawicki (Terminated) msawicki@zsa.cc

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Mark J. Mahoney (Terminated) mmahoney@harringtonmahoney.com, ideluca@harringtonmahoney.com

Michael J. Vavonese (Terminated) mvavonese@traknet.com

Richard P. Ferris (Terminated) rferris@ocgov.net, RFerrisCNY@aol.com

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Stanley L. Cohen (Terminated) stanleycohenlaw@verizon.net, stanleylcohen@earthlink.net

Thomas A. Capezza thomas.a.capezza@usdoj.gov, amber.harrison@usdoj.gov, amy.mantzey-walsh@usdoj.gov, Angela.M.Speziale@usdoj.gov, debbie.monaco@usdoj.gov, jane.traver@usdoj.gov, jessica.fereday@usdoj.gov, paul.condon@usdoj.gov

Thomas W. Ryan (Terminated) defender8@aol.com

5:97-cr-199-1 Notice has been delivered by other means to:

Nevada Properties Realty
Nevada Properties Realty
630 Las Vegas Blvd. South
Las Vegas, NV 89101

State of New York, Department of Taxation and Finance
David J. Demeter
NYS Dept of Taxation and Finance
Building 9, W.A. Harriman Campus
Room 100
Albany, NY 12227

U.S. Marshal

United States Marshals Service
P.O. Box 7260
100 South Clinton Street
10th Floor
Syracuse, NY 13261-7260

Albert J. Krieger (Terminated)
Office of Albert J. Krieger PA
1899 South Bayshore Drive
Miami, NY 33133

Anthony M. Cardinale
Cardinale, DiMauro Law Firm
655 Summer Street
Boston, MA 02210

County of St. Lawrence, NY

David B. Smith
English, Smith Law Firm
526 King Street
Suite 213
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Geoffrey S. Stewart (Terminated)
Stewart Defense Group
351 Broadway
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New York, NY 10013

Gerald T. Walsh (Terminated)
Zdarsky, Sawicki Law Firm
298 Main Street
404 Cathedral Place
Buffalo, NY 14202

James P. Fane
The Cellar
3601 West Sahara Avenue #109
Las Vegas, NV 89102

John R. Parrinello (Terminated)
Redmond, Parrinello Law Firm
Executive Office Building
Suite 400
Rochester, NY 14614

John Fountain(Terminated)
%
Glenda King

Brainardsville Road
Chateaugay, NY 12920

Loran Thompson(Terminated)
Akwesasne Kanienkeh Territory
Ahnawate Road
P.O. Box 126
Rooseveltown, NY 13683

Lynne F. Stewart (Terminated)
Stewart Defense Group
350 Broadway
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New York, NY 10013

The following document(s) are associated with this transaction:

Document description: Main Document
Original filename:n/a
Electronic document Stamp:
[STAMP dcecfStamp_ID=1051896954 [Date=1/21/2009] [FileNumber=1392449-0
] [717a87694c15a8cddd9d297f2cb763761af11f159a69b4c76127d59ab216d2cb397
6c3700d1e10d2df0c755e75d9e8e7dcd051893f89194864c9c088c0cadfdc]]
Document description: Transfer Letter
Original filename:n/a
Electronic document Stamp:
[STAMP dcecfStamp_ID=1051896954 [Date=1/21/2009] [FileNumber=1392449-1
] [b65f433404600a90fb7c5f332f6b3489a6f067528c254d738fee829219ba9ad4f92
4fc95d3029e9d5387378b081f650ca0b0e99bbd373c08a66a73fa513f67ce]]

AO 245C NNY(Rev. 10/05) Amended Judgment in a Criminal Case
Sheet 1

(NOTE: Identify Changes with Asterisks (*))

UNITED STATES DISTRICT COURT

Northern District of New York

UNITED STATES OF AMERICA
V.
Larry Miller

AMENDED JUDGMENT IN A CRIMINAL CASE

Case Number: DNYN597CR000199-001
USM Number: 21987-048
Kevin McCormick, Esq., 333 E. Onondaga St., Suite 301, Syracuse, New York 13202 (315) 478-0933
Defendant's Attorney

Date of Original Judgment: December 21, 1999
(Or Date of Last Amended Judgment)

Reason for Amendment:

☐ Correction of Sentence on Remand (18 U.S.C. 3742(f)(1) and (2))
X Reduction of Sentence for Changed Circumstances (Fed. R. Crim. P. 35(b))
Correction of Sentence by Sentencing Court (Fed. R. Crim. P. 35(a))
☐ Correction of Sentence for Clerical Mistake (Fed. R. Crim. P. 36)

☐ Modification of Supervision Conditions (18 U.S.C. §§ 3563(c) or 3583(e))
☐ Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. § 3582(c)(1))
☐ Modification of Imposed Term of Imprisonment for Retroactive Amendment(s) to the Sentencing Guidelines (18 U.S.C. § 3582(c)(2))
☐ Direct Motion to District Court Pursuant ☐ 28 U.S.C. § 2255 or ☐ 18 U.S.C. § 3559(c)(7)
☐ Modification of Restitution Order (18 U.S.C. § 3664)

THE DEFENDANT:

X pleaded guilty to count(s) 3 of Superseding Indictment on November 4, 1998
☐ pleaded nolo contendere to count(s) ______ which was accepted by the court.
☐ was found guilty on count(s) ______ after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18 U.S.C. § 1956(h)	Conspiracy to Commit Money Laundering	10/01/1996	3

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed in accordance with 18 U.S.C. § 3553 and the Sentencing Guidelines.

☐ The defendant has been found not guilty on count(s) ______

X Count(s) 1 and 2 ☐ is X are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

November 3, 2008
Date of Imposition of Amended Judgment

ECF DOCUMENT
I certify that this is a printed copy of a document which was electronically filed with the United States District Court Northern District of New York.
Lawrence K. Baerman, Clerk
Dated: 1-30-2009
By: ______ Deputy Clerk

Thomas J. McAvoy
Senior, U.S. District Judge

November 3, 2008
Date

TTN/cml

DEFENDANT: Larry Miller
CASE NUMBER: DNYN597CR000199-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

*time served

X The court makes the following recommendations to the Bureau of Prisons:

That the defendant be designated at a facility as close to his family located in Las Vegas, Nevada as possible.

X The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at ________________ ☐ a.m. ☐ p.m. on ________________ .

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on ________________ .

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on ________________ to ________________

at ________________ , with a certified copy of this judgment.

____
UNITED STATES MARSHAL

By ________________
DEPUTY UNITED STATES MARSHAL

DEFENDANT: Larry Miller
CASE NUMBER: DNYN597CR000199-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of:

3 years

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

X The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

☐ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Deselect, if inapplicable.)

☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)

☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4) the defendant shall support his or her dependents and meet other family responsibilities;
5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement; and
14) the defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

DEFENDANT: Larry Miller
CASE NUMBER: DNYN597CR000199-001

SPECIAL CONDITIONS OF SUPERVISION

Defendant shall participate in alcohol and drug testing as directed by the probation officer.

Defendant shall submit to a substance abuse evaluation and complete treatment as directed by the probation officer. Defendant shall contribute to the cost of services rendered (co-pay) in an amount to be determined by the probation officer based upon ability to pay or availability of third party payments.

Defendant shall provide the probation officer with access to any requested financial information.

Defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.

As directed by the probation officer, defendant shall notify 3rd party of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT'S ACKNOWLEDGMENT OF APPLICABLE CONDITIONS OF SUPERVISION

Upon a finding of a violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

The conditions of supervision have been read to me. I fully understand the conditions and have been provided a copy of them.

Defendant	Date
U.S. Probation Officer/Designated Witness	Date

DEFENDANT: Larry Miller
CASE NUMBER: DNYN597CR000199-001

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	Assessment	Fine	Restitution
TOTALS	$ 100.00	$ 20,000.00	$ N/A

☐ The determination of restitution is deferred until ________. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(I), all nonfederal victims must be paid before the United States is paid.

Name of Payee	Total Loss*	Restitution Ordered	Priority or Percentage
TOTALS	$ ________	$ ________	

☐ Restitution amount ordered pursuant to plea agreement $ ________

☐ The defendant must pay interest on restitution and a fine of more than $2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO 245C NNY(Rev. 10/05) Amended Judgment in a Criminal Case
Sheet 6 — Schedule of Payments (NOTE: Identify Changes with Asterisks (*))

DEFENDANT: Larry Miller
CASE NUMBER: DNYN597CR000199-001

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

A X In full immediately; or

B ☐ Lump sum payment of $ ______________ due immediately, balance due

☐ not later than ______________________ , or
☐ in accordance with ☐ D, ☐ E, ☐ F, or ☐ G below; or

C ☐ Payment to begin immediately (may be combined with ☐ D, ☐ E, or ☐ G below); or

D ☐ Payment in equal ___________ (e.g., weekly, monthly, quarterly) installments of $ ____________ over a period of ___________ (e.g., months or years), to commence _________ (e.g., 30 or 60 days) after the date of this judgment; or

E ☐ Payment in equal ___________ (e.g., weekly, monthly, quarterly) installments of $ ____________ over a period of ___________ (e.g., months or years), to commence _________ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or

F ☐ Payment during the term of supervised release will commence within _________ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or

G ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to **Lawrence K. Baerman, Clerk, U.S. District Court, Federal Bldg., P.O. Box 7367, 100 S. Clinton Street, Syracuse, N.Y. 13261-7367**, unless otherwise directed by the court, the probation officer, or the United States attorney. If a victim cannot be located, the restitution paid to the Clerk of the Court for that victim shall be sent to the Treasury, to be retrieved if and when the victim is located.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

☐ Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

☐ The Court gives notice that this case involves other defendants who may be held jointly and severally liable for payment of all or part of the restitution ordered herein and may order such payment in the future.

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

X The defendant shall forfeit the defendant's interest in the following property to the United States:

pursuant to the Superseding Indictment, defendant shall forfeit to the United States his interest in the personal and real property of his interest in $79,672,469.42, including each of the assets listed in the Forfeiture Allegations I and II of the Superseding Indictment, with the exception noted in the plea agreement.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal,(5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED
JUL 10 1997
AT ____ O'CLOCK ____ M
GEORGE A. RAY, CLERK
SYRACUSE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

****

UNITED STATES OF AMERICA

Criminal Action No.
97-CR-199 (RSP)

v.

LARRY MILLER; ROBERT J. TAVANO, SR.; LEWIS TAVANO; NICK MILLER; VICTORIA GLINES; TIM GLINES; RICHARD RANCATI; DORON YAKIR; JOHN FOUNTAIN, a/k/a "CHICK"; REX SEITZ; FABIAN HART; GAIL HART; LORAN THOMPSON; CHARLES WHITE, a/k/a "BUCK"; LARRY THOMPSON, a/k/a LT; DANA LEIGH THOMPSON, a/k/a DANA LEIGH BUSH; SHEILA LORAN; DAVID MAINVILLE; ANTHONY LAUGHING; ROBERT BROWNING; and L. DAVID JACOBS,

Defendants.

SUPERSEDING
INDICTMENT

****

THE GRAND JURY CHARGES that at all times material herein:

1. The Saint Regis Mohawk Indian Reservation, also known as Akwesasne, was located in the Northern District of New York. The St. Lawrence River and the international boundary between the United States and Canada pass through the Reservation.

ECF DOCUMENT
I certify that this is a printed copy of a document which was electronically filed with the UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK.
LAWRENCE K. BAERMAN, CLERK
Dated: January 21, 2009
By: [signature] Deputy Clerk

2. During the late 1980s and early 1990s, there were numerous confrontations between members of the New York State Police and armed members of a paramilitary group known as the "Warriors Society."

3. Tobacco and liquor products were smuggled from the United States to Canada through the Reservation in order to avoid the payment of Canadian duties and taxes.

4. The tobacco and liquor products were then sold for cash on the Canadian "black market."

5. This smuggling activity was well known within the community and has been the subject of newspaper articles, magazine articles, and television broadcasts.

6. At all times material herein, Title 27, United States Code, Section 203(c) provided:

> (c) It shall be unlawful, except pursuant to a basic permit issued under this chapter by the Secretary of the Treasury -
>
> (1) to engage in the business of purchasing for resale at wholesale distilled spirits, wine, or malt beverages; or
>
> (2) for any person so engaged to receive or to sell, offer or deliver for sale, contract to sell, or ship, in interstate or foreign commerce, directly or indirectly or through an affiliate, distilled spirits, wine, or malt beverages so purchased.

7. At all times material herein, Title 26, United States Code, Section 5111 provided:

> Every wholesale dealer in liquors shall pay a special tax of $500 a year.

8. At all times material herein, Title 26, United States Code, Section 6050I required any person engaged in a trade or business who, in the course of such trade or business, received more than $10,000 in cash in one transaction (or two or more related transactions) to file a report of such transaction (a Department of Treasury, Internal Revenue Service Form 8300, hereinafter "IRS Form

8300") containing, inter alia, the name, address, and taxpayer identification number of the person from whom the cash was received.

9. At all times relevant to this Indictment, a Currency Transaction Report (Internal Revenue Service Form 4789) was required to be filed with the Internal Revenue Service for each transaction involving currency in excess of $10,000 with any financial institution, including deposits, withdrawals, exchanges of currency, purchases of cashiers checks, payments, or transfers by, through, or to such financial institution, reflecting the identity of both the person who conducted the transaction and the person for whom the transaction was conducted.

10. At all times relevant to this Indictment, a Currency or Monetary Instruments report (U.S. Customs Form 4790) was required to be prepared and filed with the United States Customs Service whenever a person crossed the United States border with more than $10,000 (Ten Thousand Dollars) in currency.

COUNT ONE

THE ORIGINAL CONSPIRACY TO DEFRAUD AGENCIES OF THE UNITED STATES AND TO AID AND ABET SMUGGLERS TRANSPORTING TOBACCO AND LIQUOR PRODUCTS FROM THE UNITED STATES TO CANADA

From on or about January 15, 1992, the exact date being unknown to the grand jury, and continuing up to and including October 23, 1996, in the Northern District of New York and elsewhere, the defendants:

LARRY MILLER;
ROBERT J. TAVANO, SR.;
LEWIS TAVANO;
JOHN FOUNTAIN, a/k/a "CHICK";
NICK MILLER;

VICTORIA GLINES;
TIM GLINES;
RICHARD RANCATI;
DORON YAKIR;
REX SEITZ;
L. DAVID JACOBS
FABIAN HART;
GAIL HART;
SHEILA LORAN;
LORAN THOMPSON;
CHARLES WHITE, a/k/a BUCK;
LARRY THOMPSON, a/k/a LT;
DANA LEIGH THOMPSON, a/k/a DANA LEIGH BUSH; and
DAVID MAINVILLE;

did unlawfully, knowingly and intentionally combine, conspire, confederate and agree, together and with other persons known and unknown to the grand jury:

A. To aid and abet individuals who own in whole or in part a vessel of the United States, and who employ, and participate in the employment of such vessels for the purpose of smuggling, and attempting to smuggle, and assisting in smuggling, tobacco and liquor into the territory of Canada, in violation of the laws there in force, in violation of Title 18, United States Code, Section 546; and,

B. To defraud the United States and its agencies, specifically the Bureau of Alcohol, Tobacco and Firearms in the regulation of liquor transactions, the Internal Revenue Service in the assessment and collection of taxes and revenue, and the United States Customs Service and the Internal Revenue Service in collecting data and recording currency transactions, and the international movement of currency, in amounts exceeding $10,000 for the purpose of investigating violations of the criminal laws.

OVERT ACTS

In furtherance of the aforesaid conspiracy, and to effect the objects and purposes thereof, the following overt acts, among others, were committed and caused to be committed by the defendants and co-conspirators:

1. On or about January 15, 1992, **Larry Miller**, **Lewis Tavano**, and **Robert Tavano, Sr.** caused the formation of LBL Importing Inc., doing business at 2024 Pine Avenue, Niagara Falls, New York.

2. On or about December 11, 1995, **Victoria Glines**, **Timothy Glines**, and **Nick Miller** formed a business entity known as VTN.

3. At various times during the course of the conspiracy, **Larry Miller**, **Lewis Tavano**, and **Robert Tavano**, d/b/a LBL Importing Inc., ordered tobacco products which were delivered to warehouses on the Reservation.

4. On or about November 5, 1992, **L. David Jacobs** provided Charles Williams with an authorization of agency and a blank Saint Regis Mohawk liquor "license".

5. At various times during the conspiracy, **Larry Miller, Nick Miller, Vickie Glines** and **Timothy Glines,** and **Richard Rancati** caused liquor and tobacco products to be delivered to warehouses on the Reservation.

6. At various times during the conspiracy **Larry Miller** and **Doron Yakir** caused the preparation of documents falsely stating that tobacco products moving "in bond" would be exported to Russia when, in truth and in fact, they were delivered to warehouses operated by the co-conspirators on the Saint Regis Mohawk Indian Reservation.

7. At various times during the course of the conspiracy, **Fabian Hart** and **Gail Hart** operated warehouses on Frogtown Road where they received tobacco and liquor products delivered at the direction of their co-conspirators.

8. At various times during the course of the conspiracy, **Loran Thompson** operated a marina and warehouse off Ransom Road where he received tobacco and liquor products delivered at the direction of his co-conspirators.

9. At various times during the course of the conspiracy, **Larry Thompson** and **Dana Leigh Thompson, a/k/a Dana Leigh Bush**, operated warehouses located on the Rooseveltown Road, the Ransom Road, and a residence off of New York State Route 37 where they received tobacco and liquor products delivered at the direction of their co-conspirators.

10. At various times during the course of the conspiracy, **Charles**, a/k/a **"Buck", White** operated a warehouse on the White Road (off St. Regis Road) where he received tobacco and liquor products delivered at the direction of his co-conspirators.

11. At various times during the course of the conspiracy, **David Mainville** utilized a warehouse on the Conners Road where he received liquor products delivered at the direction of his co-conspirators.

12. At various times during the course of the conspiracy, **Richard Rancati** assisted in the delivery of liquor products to warehouses operated by the co-conspirators.

13. At various times during the course of the conspiracy, **Rex Seitz**, doing business as King Transportation, provided trucking services to transport tobacco and liquor products to the Saint Regis Mohawk Indian Reservation for his co-conspirators.

14. At various times during the course of the conspiracy, **Larry Miller** and **John Fountain, a/k/a "Chick"**, caused tobacco products to be delivered to warehouses on the Reservation.

15. At various times during the course of the conspiracy, **Sheila Loran** operated a facility known as S&S Fabrics and the S&S Smokeshop where she received tobacco products delivered at the direction of her co-conspirators.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE ORIGINAL CONSPIRACY TO ENGAGE IN FINANCIAL TRANSACTIONS IN FURTHERANCE OF THE SCHEME TO DEFRAUD THE UNITED STATES AND CANADA

Beginning on or about January 1, 1992, the exact date unknown to the grand jury, and continuing up to at least April 4, 1996, in the Northern District of New York, and elsewhere, the defendants,

LARRY MILLER;
JOHN FOUNTAIN, a/k/a "CHICK";
FABIAN HART;
GAIL HART;
SHEILA LORAN;
LORAN THOMPSON;
CHARLES WHITE, a/k/a BUCK;
LARRY THOMPSON, a/k/a LT;
DANA LEIGH THOMPSON, a/k/a DANA LEIGH BUSH;
ANTHONY LAUGHING;
ROBERT BROWNING;

and other persons both known and unknown to the grand jury, did unlawfully, knowingly and intentionally combine, conspire, confederate and agree to commit an offense against the United States, that is, to conduct, and attempt to conduct, financial transactions, affecting interstate and foreign commerce, which, in fact, involved the proceeds of specified unlawful activity, that is, a wire fraud scheme to defraud the United States and Canadian governments of revenue, in violation of Title 18, United States Code, Section 1343, knowing that the property involved in the financial transaction represented proceeds of some form of unlawful activity, and with the intent to promote the carrying on of this specified unlawful activity.

In violation of Title 18, United States Code, Section 1956(a)(1)(A)(i).

THE SPECIFIED UNLAWFUL ACTIVITY

1. It was a part of this conspiracy that the defendants would participate in an illegal venture to smuggle tobacco and liquor from the United States into Canada where it would be sold on the "black market" to avoid the payment of Canadian taxes and duties.

2. It was further part of the scheme that Canadian currency (funds) generated by the scheme would be converted into United States currency or funds which would be utilized to conduct financial transactions promoting the scheme; and

3. It was further part of the conspiracy that the defendants and their co-conspirators would engage in wholesale liquor transactions without paying a "special occupation tax" to the United States; and

4. It was further part of the scheme to defraud that tobacco and liquor products designated for export from the United States would be diverted for sale at the Saint Regis Mohawk Indian Reservation to avoid that payment of duties and taxes otherwise due to the United States.

5. It was a further part of the scheme to defraud that the tobacco and liquor to be utilized in the smuggling scheme would be purchased through interstate and international telephone calls, facsimile, and wire transmissions; and

6. It was further part of the scheme to defraud that the tobacco and liquor would be transported in interstate commerce to warehouses at the Saint Regis Mohawk Indian Reservation in the Northern District of New York where those acting in concert with the defendants would smuggle the liquor from the United States into Canada where it would be sold on the "black market," thereby avoiding the payment of Canadian taxes and duties; and

7. It was further part of the scheme to defraud that sales would be made by the warehouse operators without the preparation and filing of Department of Treasury, Internal Revenue Forms 8300 as part of a scheme to prevent the United States from collecting taxes from individuals involved in the smuggling and resale of the tobacco and liquor products; and

8. It was a further part of the scheme to defraud that the defendants and their co-conspirators would conduct currency transactions without the preparation and filing of Internal Revenue Service Forms 4789 in order to assist their customers in attempting to evade federal income taxes.

OVERT ACTS

In furtherance of the conspiracy and to effect the objects and purposes thereof, the following overt acts, among others, were committed and caused to be committed by the defendants, and others, in the Northern District of New York and elsewhere:

1. Beginning some time in 1992, the exact date being unknown to the grand jury, **John Fountain** caused his armored car service to pick up Canadian currency at the warehouses operated by his co-conspirators.

2. At various times during the course of the conspiracy, **Larry Miller** and those acting at his direction, conducted financial transactions at the Jefferson National Bank.

3. At various times during the course of the conspiracy, **Fabian Hart, Gail Hart,** and those acting at their direction conducted financial transactions at the Jefferson National Bank and the First National Bank of Northern New York.

4. On or about July 10, 1992, **John Fountain** acquired an interest in the currency exchange located at the intersection of New York State Route 37 and North Road in Hogansburg, New York.

5. On or about June 8, 1993, **Larry Miller** and **John Fountain** attempted to purchase the Citizens National Bank of Hammond, New York.

6. At various times during the course of the conspiracy **John Fountain**'s co-conspirators exchanged Canadian currency for U.S. currency through the currency exchange that he controlled in Hogansburg, New York.

7. At various times **John Fountain** allowed his co-conspirators to exchange large amounts of Canadian currency for U.S. currency without reporting the transactions on a Currency Transaction Report.

8. At various times during the course of the conspiracy, **John Fountain** caused funds to be wire transferred on behalf of **Charles "Buck" White** in exchange for Canadian currency.

9. At various times during the course of the conspiracy **Larry Thompson** caused **Dana Leigh Thompson, a/k/a Dana Leigh Bush** and others to conduct financial transactions at the currency exchange that **John Fountain** controlled in Hogansburg, New York.

10. At various times during the course of the conspiracy, **John Fountain** caused funds to be wire transferred for **Dana Leigh Bush** on behalf of **Larry Thompson** in exchange for Canadian currency.

11. At various times during the course of the conspiracy, **John Fountain** caused funds to be wire transferred on behalf of **Fabian Hart and Gail Hart** in exchange for Canadian currency.

12. At various times during the course of the conspiracy, **John Fountain** caused funds to be wire transferred on behalf of **Loran Thompson** in exchange for Canadian currency.

13. At various times during the course of the conspiracy, **John Fountain** caused funds to be wire transferred on behalf of **Robert Browning** and **Anthony Laughing** in exchange for Canadian currency.

14. At various times during the course of the conspiracy, **John Fountain** caused funds to be wire transferred on behalf of **Larry Miller** in exchange for Canadian currency.

15. At various times during the course of the conspiracy, **John Fountain** caused funds to be wire transferred on behalf of **Sheila Loran** in exchange for Canadian currency.

All in violation of Title 18, United States Code, Section 1956(h).

COUNT THREE

THE MILLER CONSPIRACY TO ENGAGE IN FINANCIAL TRANSACTIONS IN FURTHERANCE OF A SCHEME TO DEFRAUD THE UNITED STATES AND CANADA

Beginning on or about January 15, 1992, the exact date unknown to the grand jury, and continuing up to at least October 1, 1996, in the Northern District of New York, and elsewhere, the defendants,

LARRY MILLER,
NICK MILLER,
VICTORIA GLINES,
TIM GLINES,

and other persons both known and unknown to the grand jury, did unlawfully, knowingly and intentionally combine, conspire, confederate and agree to commit an offense against the United States, that is, to conduct, and attempt to conduct, financial transactions, affecting interstate and foreign commerce, which, in fact, involved the proceeds of specified unlawful activity, that is, a wire fraud scheme to defraud the United States and Canadian governments of revenue, in violation of Title 18, United States Code, Section 1343, knowing that the property involved in the financial transaction represented proceeds of some form of unlawful activity, and with the intent to promote the carrying on of this specified unlawful activity.

In violation of Title 18, United States Code, Section 1956(a)(1)(A)(i).

THE SPECIFIED UNLAWFUL ACTIVITY

1. It was a part of this conspiracy that the defendants would participate in an illegal venture to smuggle tobacco and liquor from the United States into Canada where it would be sold on the "black market" to avoid the payment of Canadian taxes and duties.

2. It was further part of the scheme that Canadian currency (funds) generated by the scheme would be converted into United States currency or funds which would be utilized to conduct financial transactions promoting the scheme; and

3. It was further part of the conspiracy that the defendants and their co-conspirators would engage in wholesale liquor transactions without paying a "special occupation tax" to the United States; and

4. It was a further part of the scheme to defraud that tobacco and liquor products designated for export from the United States would be diverted for sale at the Saint Regis Mohawk Indian Reservation to avoid that payment of duties and taxes otherwise due to the United States.

5. It was a further part of the scheme to defraud that the tobacco and liquor to be utilized in the smuggling scheme would be purchased through interstate and international telephone calls, facsimile, and wire transmissions; and

6. It was further part of the scheme to defraud that the tobacco and liquor would be transported in interstate commerce to warehouses at the Saint Regis Mohawk Indian Reservation in the Northern District of New York where those acting in concert with the defendants would smuggle the liquor from the United States into Canada where it would be sold on the "black market," thereby avoiding the payment of Canadian taxes and duties; and

7. It was further part of the scheme to defraud that sales would be made by the warehouse operators without the preparation and filing of Department of Treasury, Internal Revenue Forms 8300 as part of a scheme to prevent the United States from collecting taxes from individuals involved in the smuggling and resale of the tobacco and liquor products; and

8. It was a further part of the scheme to defraud that the defendants and their co-conspirators would conduct currency transactions without the preparation and filing of Internal Revenue Service Forms 4789 in order to assist their customers in attempting to evade federal income taxes.

OVERT ACTS

In furtherance of the conspiracy and to effect the objects and purposes thereof, the following overt acts, among others, were committed and caused to be committed by the defendants, and others, in the Northern District of New York and elsewhere:

1. On or about January 6, 1994, **Larry Miller** opened an account at the Newberry State Bank.

2. At various times during the course of the conspiracy, **Larry Miller** and those acting at his direction, conducted financial transactions at the Newberry State Bank, later known as First National Bank of Manastique.

3. At various times during the course of the conspiracy, **Larry Miller, Nick Miller, Victoria Glines, Tim Glines**, and those acting at their direction, conducted financial transactions at the First National Bank of Northern New York.

4. At various times during the course of the conspiracy, **Larry Miller, Nick Miller, Victoria Glines, Tim Glines**, and those acting at their direction, conducted financial transactions at the Bluewater Currency Exchange, later known as the NORCAM Currency Exchange.

5. At various times during the conspiracy, **Larry Miller, Nick Miller, Victoria Glines,** and those acting at their direction, exchanged Canadian currency for U.S. currency through Norman Treptow, doing business as Commercial Exchange Services.

All in violation of Title 18, United States Code, Section 1956(h).

COUNT FOUR

THE LEWIS AND ROBERT TAVANO CONSPIRACY TO DEFRAUD AGENCIES OF THE UNITED STATES AND TO AID AND ABET SMUGGLERS TRANSPORTING TOBACCO AND LIQUOR PRODUCTS TO CANADA

On or about September 15, 1993, the exact date being unknown to the grand jury, and continuing up to and including the date of this Indictment, in the Northern District of New York and elsewhere, the defendants:

ROBERT J. TAVANO, SR.;
LEWIS TAVANO;
REX SEITZ;

FABIAN HART;
GAIL HART;
SHEILA LORAN;
LORAN THOMPSON;
CHARLES WHITE, a/k/a BUCK;
LARRY THOMPSON, a/k/a LT; and
DANA LEIGH THOMPSON, a/k/a DANA LEIGH BUSH;

did unlawfully, knowingly and intentionally combine, conspire, confederate and agree, together and with other persons known and unknown to the grand jury, to commit offenses against the United States, that is:

A. To aid and abet individuals who own in whole or in part a vessel of the United States, and who employ, and participate in the employment of such vessels for the purpose of smuggling, and attempting to smuggle, and assisting in smuggling, tobacco and liquor into the territory of Canada, in violation of the laws there in force, in violation of Title 18, United States Code, Section 546; and

B. To defraud the United States and its agencies, specifically the Bureau of Alcohol, Tobacco and Firearms in the regulation of liquor transactions, the Internal Revenue Service in the assessment and collection of taxes and revenue, and the United States Customs Service and the Internal Revenue Service in collecting data and recording currency transactions, and the international movement of currency, in amounts exceeding $10,000 for the purpose of investigating violations of the criminal laws; and

OVERT ACTS

In furtherance of the aforesaid conspiracy, and to effect the objects and purposes thereof, the following overt acts, among others, were committed and caused to be committed by the defendants and co-conspirators:

1. On or about June 10, 1994, **Lewis Tavano** and **Robert Tavano** began doing business as Pine Partnership.

2. At various times thereafter **Lewis Tavano** and **Robert Tavano**, d/b/a Pine Partnership, ordered tobacco products which were delivered to warehouses on the Saint Regis Mohawk Reservation.

3. At various times during the conspiracy, **Lewis Tavano** and **Robert Tavano** caused liquor products to be delivered to warehouses on the Saint Regis Mohawk Reservation.

4. At various times during the conspiracy, **Fabian Hart** and **Gail Hart** operated warehouses on Frogtown Road where they received tobacco and liquor products delivered at the direction of their co-conspirators.

5. At various times during the conspiracy, **Loran Thompson** operated a marina and warehouse off Ransom Road where he received tobacco and liquor products delivered at the direction of his co-conspirators.

6. At various times during the conspiracy, **Larry Thompson and Dana Leigh Thompson, a/k/a Dana Leigh Bush,** utilized warehouses located on the Rooseveltown Road, the Ransom Road, and a residence off of New York State Route 37 where they received tobacco and liquor products delivered at the direction of their co-conspirators.

7. At various times during the conspiracy, **Charles White**, a/k/a "**Buck**" operated a warehouse on the White Road (off St. Regis Road) where he received tobacco and liquor products delivered at the direction of his co-conspirators.

8. At various times during the conspiracy, **Sheila Loran** operated a warehouse off of New York State Route 37 in Hogansburg, New York where she received tobacco products delivered at the direction of her co-conspirators.

All in violation of Title 18, United States Code, Section 371.

COUNT FIVE

THE PINE PARTNERSHIP CONSPIRACY TO ENGAGE IN FINANCIAL TRANSACTIONS IN FURTHERANCE OF THE SCHEME TO DEFRAUD THE UNITED STATES AND CANADA

From on or about September 15, 1993 and continuing up to and including the date of this Indictment, the exact dates being unknown to the Grand Jury, in the Northern District of New York, and elsewhere, the defendants,

ROBERT J. TAVANO, SR.;
LEWIS TAVANO;
SHEILA LORAN;
LORAN THOMPSON;
CHARLES WHITE, a/k/a "BUCK";

did unlawfully, knowingly and intentionally combine, conspire, confederate and agree to commit an offense against the United States, that is, to conduct, and attempt to conduct, a financial transaction, affecting interstate and foreign commerce, which, in fact, involved the proceeds of specified unlawful activity, that is, a wire fraud scheme to defraud the United States and Canadian governments of revenue, in violation of Title 18, United States Code, Section 1343, knowing that the property involved in the financial transaction represented proceeds of some form of unlawful activity, and with the intent to promote the carrying on of this specified unlawful activity.

In violation of Title 18, United States Code, Section 1956(a)(1)(A)(i).

THE SPECIFIED UNLAWFUL ACTIVITY

1. It was a part of this conspiracy that the defendants would participate in an illegal venture to smuggle tobacco and liquor from the United States into Canada where it would be sold on the "black market" to avoid the payment of Canadian taxes and duties.

2. It was further part of the scheme that Canadian currency (funds) generated by the scheme would be converted into United States currency and funds which would be utilized to conduct financial transactions promoting the scheme; and

3. It was further part of the conspiracy that the defendants and their co-conspirators would engage in wholesale liquor transactions without paying a "special occupation tax" to the United States; and

4. It was a further part of the scheme to defraud that tobacco and liquor products designated for export from the United States would be diverted for sale at the Saint Regis Mohawk Indian Reservation to avoid that payment of duties and taxes otherwise due to the United States.

5. It was a further part of the scheme to defraud that the tobacco and liquor to be utilized in the smuggling scheme would be purchased through interstate and international telephone calls, facsimile, and wire transmissions, and

6. It was further part of the scheme to defraud that the tobacco and liquor would be transported in interstate commerce to warehouses at the Saint Regis Mohawk Indian Reservation in the Northern District of New York where those acting in concert with the defendants would smuggle the liquor from the United States into Canada where it would be sold on the "black market," thereby avoiding the payment of Canadian taxes and duties; and

7. It was further part of the scheme to defraud that sales would be made by the warehouse operators without the preparation and filing of Department of Treasury, Internal Revenue Forms 8300 as part of a scheme to prevent the United States from collecting taxes from individuals involved in the smuggling and resale of the tobacco and liquor products; and

8. It was a further part of the scheme to defraud that the defendants and their co-conspirators would conduct currency transactions without the preparation and filing of Internal Revenue Service Forms 4789 in order to assist their customers in attempting to evade federal income taxes.

OVERT ACTS

In furtherance of the aforesaid conspiracy, and to effect the objects and purposes thereof, the following overt acts, among others, were committed and caused to be committed by the defendants and co-conspirators:

1. On or about September 15, 1993, **Robert Tavano** and **Lewis Tavano** opened bank account No. 832-30148-5 at the Marine Midland Bank in Niagara Falls, New York.

2. On or about September 27, 1994, **Robert Tavano** and **Lewis Tavano** opened bank account No. 832-30779-3 at the Marine Midland Bank in Niagara Falls, New York.

3. At various times thereafter, **Robert Tavano** and **Lewis Tavano** conducted financial transactions affecting interstate commerce through those Marine Midland bank accounts.

4. At various times throughout the conspiracy **Lewis Tavano** and **Robert Tavano**, individually and doing business as Pine Partnership, exchanged Canadian currency for wire transfers and U.S. currency through Michael Hogan, doing business as Envoy International.

5. At various times during the conspiracy, **Lewis Tavano**, individually and doing business as Pine Partnership, received Canadian currency from **Loran Thompson; Charles White**, a/k/a "**Buck**"; and **Sheila Loran**.

6. At various times during the course of the conspiracy, **Lewis Tavano** and **Robert Tavano**, individually and doing business as Pine Partnership, exchanged Canadian currency for wire transfers, cashier checks, and U.S. currency through Norman Treptow, doing business as Commercial Exchange Services.

7. On or about March 21, 1995, **Lewis Tavano** and **Robert Tavano**, individually and doing business as Pine Partnership, opened an account at Fleet Bank in Massena, New York.

8. At various times during the course of the conspiracy, **Sheila Loran** deposited funds to the Pine Partnership account at Fleet Bank.

9. At various times during the course of the conspiracy, **Larry Miller, Lewis Tavano** and **Robert Tavano**, doing business as LBL Importing, utilized Marine Midland Bank Account No. 832-30423-9 to conduct financial transactions in furtherance of the conspiracy.

10. At various times during the course of the conspiracy, **Sheila Loran,** individually and doing business as S&S Tobacco, exchanged Canadian currency for U.S. currency through Norman Treptow, doing business as Commercial Exchange Services.

11. At various times during the course of the conspiracy, **Loran Thompson**, individually and doing business as AHNEWATE Marina and AHNEWATE Enterprises, exchanged Canadian currency for U.S. currency through Norman Treptow, doing business as Commercial Exchange Services.

All in violation of Title 18, United States Code, Section 1956(h).

COUNT SIX

THE TVI CONSPIRACY TO AID AND ABET SMUGGLERS TRANSPORTING TOBACCO AND LIQUOR PRODUCTS FROM THE UNITED STATES INTO CANADA

From on or about May 1, 1990, the exact date being unknown to the Grand Jury, and continuing up to and including April 1, 1996, in the Northern District of New York and elsewhere, the defendants:

ANTHONY LAUGHING,
ROBERT BROWNING, and
L. DAVID JACOBS,

did unlawfully, knowingly and intentionally combine, conspire, confederate and agree, together and with other persons known and unknown to the grand jury, to commit offenses against the United States, that is:

A. To aid and abet individuals who own in whole or in part a vessel of the United States, and who employ, and participate in the employment of such vessels for the purpose of smuggling, and attempting to smuggle, and assisting in smuggling, tobacco and liquor into the territory of Canada, in violation of the laws there enforced, in violation of Title 18, United States Code, Section 546;

B. To defraud the United States and its agencies, specifically the Bureau of Alcohol, Tobacco and Firearms in the regulation of liquor transactions, the Internal Revenue Service in the assessment and collection of taxes and revenue, and the United States Customs Service and the Internal Revenue Service in collecting data and recording currency transactions, and the international movement of currency, in amounts exceeding $10,000 for the purpose of investigating violations of the criminal laws.

OVERT ACTS

In furtherance of the aforesaid conspiracy, and to effect the objects and purposes thereof, the following overt acts, among others, were committed and caused to be committed by the defendants and co-conspirators:

1. Throughout the course of the conspiracy, **Anthony Laughing** exercised control over the former Tony's Vegas International ("TVI") buildings in the Northern District of New York.

2. At various times during the course of the conspiracy, **Anthony Laughing** caused cigarettes to be delivered to the former TVI buildings.

3. From on or about September 2, 1993 until on or about March 24, 1994, **Anthony Laughing** and **Robert Browning** caused tractor trailer loads of liquor to be ordered from the A. Smith Bowman Distillery.

4. At various times during the course of the conspiracy, **Robert Browning** exchanged Canadian currency for U.S. currency at the Hogansburg, New York currency exchange operated by **John, a/k/a "Chick", Fountain**.

5. At various times during the course of the conspiracy, **Anthony Laughing** and **Robert Browning** caused payments to be wire transferred to the distilleries and rectifiers where they had ordered the tractor trailer loads of liquor.

6. From on or about April 26, 1994 until on or about May 19, 1994, **Anthony Laughing** and **Robert Browning** caused tractor trailer loads of liquor to be ordered from Jenkins Spirits Corporation Ltd.

7. At various times during the course of the conspiracy, the defendants caused case lot quantities of cigarettes and liquor to be sold for cash at the former TVI buildings.

8. At various times during the course of the conspiracy, **L. David Jacobs** received cash payments in connection with his co-conspirators' liquor transactions.

All in violation of Title 18, United States Code, Section 371.

COUNT SEVEN

CONDUCTING THE AFFAIRS OF THE SAINT REGIS MOHAWK INDIAN TRIBE THROUGH A PATTERN OF RACKETEERING ACTIVITY

At all times material herein, the Saint Regis Mohawk Tribe was an enterprise within the meaning of Title 18, United States Code, Section 1961(4).

From July 1, 1988 until June 30, 1994, **L. DAVID JACOBS** was an elected Chief who was employed by and associated with the Saint Regis Mohawk Tribe.

At all times material herein **ANTHONY L. LAUGHING** was associated with the Saint Regis Mohawk Tribe.

From December 27, 1988 until June 30, 1995, the exact dates being unknown to the grand jury, in the Northern District of New York, and elsewhere, the defendants:

L. DAVID JACOBS, and
ANTHONY LAUGHING,

who were persons employed by and associated with an enterprise engaged in, and the activities of which affected interstate and foreign commerce, namely, The Saint Regis Mohawk Tribe, in Hogansburg, New York, and during this time the defendants, **L. David Jacobs** and **Anthony Laughing**, did unlawfully, knowingly and intentionally, conduct and participate, directly and indirectly, in the conduct of this enterprise's affairs through a pattern of racketeering activity as defined in Title 18, United States Code, Section 1961(1) and (5) consisting of acts involving extortion in violation of New York Penal Law, § 155.05(2)(e)(viii), bribe receiving in violation of New York Penal Law, § 200.10, and conducting an illegal gambling business in violation of Title 18, United States Code, Section 1955, all as more fully set forth below.

METHODS AND MEANS

At various times during the conspiracy, the defendants utilized the following methods and means, among others:

A. The defendants obtained and caused to be obtained, money and things of value which were not lawfully due to Defendant **L. David Jacobs** from persons wishing to do business at the Saint Regis Mohawk Indian Reservation; and

B. The defendants defrauded the people of Akwesasne of their right to the faithful, loyal, and honest services of their elected representatives.

THE RACKETEERING ACTS

RACKETEERING ACT ONE

From on or about December 27, 1988 and thereafter up to and including July 20, 1989 in the Northern District of New York, defendants **Anthony Laughing**, aided and abetted by **L. David Jacobs**, did knowingly and unlawfully conduct, finance, manage, supervise, direct and own all or part of an illegal gambling business under the firm name and style of "Tony's Vegas International", said illegal gambling business involving, among other things, slot machines, black jack and dice, in violation of the laws of the State of New York in which said business was conducted, and more specifically constituting the advancing of gambling activity as prohibited by New York Penal Law §

225.05 and the possession of gambling devices as prohibited by New York Penal Law § 225.30 (1-3); said illegal gambling business involved five or more persons who conducted, financed, managed, supervised, directed and owned all or part of the illegal gambling business and said business remained in substantially continuous operation for a period of in excess of thirty (30) days and had a gross revenue of $2,000.00 on one or more days.

In violation of Title 18, United States Code, Section 1955(a) and Title 18, United States Code, Section 2.

RACKETEERING ACT TWO

Defendant **L. David Jacobs** did commit the following acts in the Northern District of New York relating to receipt of payments from Basil Cook, Basil Cook Enterprises, and Able Vending in exchange for his support of Able Vending's loan-exclusive slot machine contract with the Saint Regis Mohawk Indian Tribe, any one of which constitutes the commission of Racketeering Act Two:

A. At various times during October, November, and December of 1990, and while he was an elected Chief, **L. David Jacobs** did commit an act involving bribery, that is, did solicit, accept, and agree to accept a benefit from Basil Cook, Basil Cook Enterprises, and Able Vending upon an understanding that his vote, opinion, judgment, action, decision, and exercise of discretion as a public servant would thereby be influenced, in violation of New York Penal Law § 200.10.

B. At various times during October, November, and December 1990, with intent to deprive another of property, **L. David Jacobs** did commit an act involving extortion, that is, did wrongfully take and obtain property in excess of $1,000 from Basil Cook, Basil Cook Enterprises and Able Vending by means of instilling fear that he would use or abuse his position as a public servant by performing some act within or related to his official duties, or by failing or refusing to perform an official duty, in such manner as to affect some person adversely, in violation of New York Penal Law § 155.05(2)(e)(viii).

RACKETEERING ACT THREE

Defendant **L. David Jacobs** did commit the following acts in the Northern District of New York relating to the unlawful receipt of monies for tobacco products which were to be sold on the Saint Regis Mohawk Indian Reservation, any one of which constitutes the commission of Racketeering Act Three:

A. On a date unknown to the grand jury, but during the time that he was an elected Chief, **L. David Jacobs** did commit an act involving bribery, that is, did solicit, accept, and agree to accept a benefit of cash for tobacco products which were to be sold on the Saint Regis Mohawk Indian Reservation upon an understanding that his vote, opinion, judgment, action, decision, and exercise of discretion as a public servant would thereby be influenced, in violation of New York Penal Law § 200.10.

B. On a date unknown to the grand jury, but during the time that he was an elected Chief, with intent to deprive another of property, **L. David Jacobs** did commit an act involving extortion, that is, did wrongfully take and attempt to take and obtain property in excess of One Thousand Dollars ($1,000) from Larry Miller by means of instilling fear that he would use or abuse his position as a public servant by performing some act within or related to his official duties, or by failing or refusing an official duty in such manner as to adversely affect such person, in violation of New York Penal Law § 155.05(2)(e)(viii).

RACKETEERING ACT FOUR

Defendant **L. David Jacobs** did commit the following acts in the Northern District of New York relating to the receipt of cash from Basil Cook and Guilford White in connection with their operation of the Mohawk Bingo Palace, any one of which constitutes the commission of Racketeering Act Four:

A. On a date unknown to the grand jury, but during the time that he was an elected Chief, **L. David Jacobs** did commit an act involving bribery, that is, did solicit, accept, and agree to accept a benefit from Basil Cook and Guilford White upon an understanding that his vote, opinion, judgment, action, decision, and exercise of discretion as a public servant would thereby be influenced, in violation of New York Penal Law § 200.10.

B. On a date unknown to the grand jury, but during the time that he was an elected Chief, with intent to deprive another of property, **L. David Jacobs** did commit an act involving extortion, that is, did wrongfully take and obtain property in excess of One Thousand Dollars ($1,000) from Basil Cook and Guilford White by means of instilling fear that he would use or abuse his position as a public servant by performing some act within or related to his official duties, or by failing or refusing to perform an official duty, in such manner as to affect such persons adversely, in violation of New York Penal Law § 155.05(2)(e)(viii).

RACKETEERING ACT FIVE

Defendant **L. David Jacobs** did commit the following acts in the Northern District of New York relating to the sale of liquor products on the Saint Regis Mohawk Indian Reservation, any one of which constitutes the commission of Racketeering Act Five:

A. On a date unknown to the grand jury, but during the time that he was an elected Chief, **L. David Jacobs** did commit an act involving bribery, that is, did solicit, accept, and agree to accept a benefit from an individual acting on behalf of Larry Miller upon an understanding that his vote, opinion, judgment, action, decision and exercise of discretion as a public servant would thereby be influenced, in violation of New York Penal Law § 200.10.

B. On a date unknown to the grand jury, but during the time that he was an elected Chief, with intent to deprive another of property, **L. David Jacobs** did commit an act involving extortion, that is, did wrongfully take and obtain property in excess of One Thousand Dollars ($1,000) from a person acting on behalf of Larry Miller by means of instilling fear that he would use or abuse his position as a public servant by performing some act within or related to his official duties, or by failing or refusing to perform an official duty, in such manner as to adversely affect such person, in violation of New York Penal Law § 155.05(2)(e)(viii).

RACKETEERING ACT SIX

Defendant **L. David Jacobs**, aided and abetted by Defendant **Anthony Laughing**, in the Northern District of New York, did commit the following acts relating to the sale of liquor products on the Saint Regis Mohawk Indian Reservation, any one of which constitutes the commission of Racketeering Act Six:

A. On several occasions while he was an elected Chief, during 1993 and 1994, the exact dates being unknown, **L. David Jacobs,** aided and abetted by **Anthony L. Laughing**, did commit an act involving bribery, that is, did solicit, accept, and agree to accept a benefit from Dick Terrance, Sr. upon an understanding that his vote, opinion, judgment, action, decision and exercise of discretion as a public servant would thereby be influenced, in violation of New York Penal Law §§ 20.00 and 155.05(2)(e)(viii).

B. On several occasions while he was an elected Chief, during 1993 and 1994, the exact dates being unknown, with intent to deprive another of property, **L. David Jacobs**, aided and abetted by **Anthony L. Laughing**, did commit an act involving extortion, that is, did wrongfully take and obtain property in excess of One Thousand Dollars ($1,000) from Dick Terrance, Sr. by means of instilling fear that he would use or abuse his position as a public servant by performing some act within or related to his official duties, or by failing or refusing to perform an official duty, in such manner as to affect Richard Terrance, Sr. adversely, in violation of New York Penal Law §§ 20.00 and 155.05(2)(e)(viii).

RACKETEERING ACT SEVEN

Defendant **L. David Jacobs** did commit the following acts in the Northern District of New York relating to the receipt of cash and other benefits from Eli Tarbell, a principal of the Bear's Den Restaurant, any one of which constitutes the commission of Racketeering Act Seven:

A. At various times while was an elected Chief, the exact dates being unknown to the grand jury, **L. David Jacobs** did commit an act involving bribery, that is, did solicit, accept, and agree to accept cash and other benefits from Eli Tarbell, upon an understanding that his vote, opinion, judgment, action, decision and exercise of discretion as a public servant would thereby be influenced, in violation of New York Penal Law § 200.10.

B. At various times, the exact dates being unknown, while he was an elected Chief, with intent to deprive another of property, **L. David Jacobs** did commit an act involving extortion, that is, did wrongfully take and obtain property in excess of One Thousand Dollars ($1,000) from Eli Tarbell by means of instilling fear that he would use or abuse his position as a public servant by performing some act within or related to his official duties, or by failing or refusing to perform an official duty, in such manner as to adversely affect Eli Tarbell, in violation of New York Penal Law § 155.05(2)(e)(viii).

RACKETEERING ACT EIGHT

Defendant **L. David Jacobs** did commit the following acts in the Northern District of New York relating to the receipt of funds and office space from William Sears, a principal of Billy's Bingo, any one of which constitutes the commission of Racketeering Act Eight:

A. At various times while he was an elected Chief, the exact dates being unknown to the grand jury, **L. David Jacobs** did commit an act involving bribery, that is, did solicit, accept, and agree to accept a benefit from William Sears, upon an understanding that his vote, opinion, judgment, action, decision and exercise of discretion as a public servant would thereby be influenced, in violation of New York Penal Law § 200.10.

B. At various times while he was an elected Chief, the exact dates being unknown to the grand jury, with intent to deprive another of property, **L. David Jacobs** did commit an act involving extortion, that is, did wrongfully take and obtain property in excess of One Thousand Dollars ($1,000) from William Sears by means of instilling fear that he would use or abuse his position as a public servant by performing some act within or related to his official duties, or by failing or refusing to perform an official duty, in such manner as to affect William Sears adversely, in violation of New York Penal Law § 155.05(2)(e)(viii).

All in violation of Title 18, United States Code, Section 1962(c).

FORFEITURE ALLEGATION I RELATING TO COUNT TWO

1. The allegations contained in Count Two of this Indictment are hereby realleged and incorporated by reference herein for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 982.

2. Pursuant to Title 18, United States Code, Section 982(a)(1), upon conviction, **LARRY MILLER; JOHN FOUNTAIN, a/k/a "CHICK"; FABIAN HART; GAIL HART; SHEILA LORAN; LORAN THOMPSON; CHARLES WHITE, a/k/a BUCK; LARRY THOMPSON, a/k/a LT; DANA LEIGH THOMPSON, a/k/a DANA LEIGH BUSH; ANTHONY LAUGHING; and ROBERT BROWNING**, the defendants, shall forfeit to the United States all right, title and interest in any and all property, real or personal, involved in said offense(s) in violation of Title 18, United States Code, Sections 1956, and all property traceable to such property, including the following money or other property that was the subject of each offense, and all property used in any manner or part to commit those violations.

3. The intent of the United States of America to forfeit such property includes, but is not limited to, the following property:

CASH PROCEEDS

4. Approximately $557,677,994.63 in United States currency, in that such sum in aggregate is equal to the amount laundered as charged in Count Two. Said defendants are jointly and severally liable to the United States for these amounts, such amount includes, but is not limited to the following:

PROPERTY INVOLVED IN MONEY LAUNDERING TRANSACTIONS OR TRACEABLE TO SUCH PROPERTY

Property of Defendant John Fountain

Real Property

5. West Main Street, Town and Village of Malone, County of Franklin, more particularly described in a Deed dated December 8, 1993 and recorded in the Franklin County Clerk's Office in Liber 603 at page 203.

Personal Property

6. ONE 1990 FORD VAN
WHITE IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1FTJE34M8LHA40756
ARMORED CAR NEW YORK REGISTRATION PG7908

7. ONE 1992 FORD VAN
WHITE IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1FTJE34M3NHA27402
ARMORED CAR

Property of Defendant Larry Miller

Real Property

8. 1 Rivercrest Drive in the Town of Massena, County of St. Lawrence, more particularly described in a Deed dated April 27, 1993 and filed with the St. Lawrence County Clerk's Office in Liber 1067 at page 1092.

9. Club 37, 41, 43 Trippany Road, Massena, in the Town of Massena, County of St. Lawrence, more particularly described in a Deed dated December 17, 1987 in the St. Lawrence County Clerk's Office in Liber 1005 at page 349;

Personal Property

10. ONE 1994 LOWE - BOAT
BEARING VEHICLE IDENTIFICATION
NUMBER OMCL153VK394
NEW YORK REGISTRATION 2047HJ

11. ONE 1995 SPECTRA - BOAT
BEARING VEHICLE IDENTIFICATION
NUMBER STRD37WMB595
NEW YORK REGISTRATION 4456UL

12. ONE 1993 CHEVROLET PICKUP
BEARING VEHICLE IDENTIFICATION
NUMBER 1GCEK14K6PZ136978
NEW YORK REGISTRATION RP5474

13. ONE 1988 LO/RI
BEARING VEHICLE IDENTIFICATION
NUMBER 1PHDC2U20J1000134

14. ONE 1990 IMPERIAL - BOAT
BEARING VEHICLE IDENTIFICATION
NUMBER XMPP1085H990
NEW YORK REGISTRATION 1674HJ

15. ONE 1995 KLASSIC - TRAILER
BEARING VEHICLE IDENTIFICATION
NUMBER 1K9BC2421SS130046
NEW YORK REGISTRATION 95250J

16. ROLEX WATCH
18 K LADIES OYSTER PERPETUAL

17. ONE 1993 ARCTIC CAT TIGERSHARK
BEARING VEHICLE IDENTIFICATION
NUMBER ARJ03983E393

18. ONE LELAND TRAILER
BEARING VEHICLE IDENTIFICATION
NUMBER 1LEWF0954P10038

19. ONE 1994 SHORELINE TRAILER
BEARING VEHICLE IDENTIFICATION
NUMBER 1MDAGSR18RC668876
NEW YORK REGISTRATION 23439J

Property of Defendants Fabian and Gail Hart

Real Property

20. Blair Road, Town of Bombay, County of Franklin, more particularly described in a Deed dated February 19, 1991 and filed in the Franklin County Clerk's Office in Liber 582 at page 151.

Substitute Assets Provision

21. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants--

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 18, United States Code, Section 982(b), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property, including, but not limited to, the following property:

SUBSTITUTE ASSETS

Substitute Assets of Defendant Robert Browning

Personal Property

22. ONE 1995 SUZUKI MOTORCYCLE
BEARING VEHICLE IDENTIFICATION
NUMBER JS1GR7BA6S2101810
NEW YORK REGISTRATION G513V

Substitute Assets of Defendant John Fountain

Real Property

23. 93 Franklin Street, in the Town and Village of Malone, County of Franklin, more particularly described in a Deed dated May 31, 1985 filed in the Franklin County Clerk's Office in Liber 519 at page 633;

24. 137 Ft. Covington Street, in the Town of Malone, County of Franklin, more particularly described in a Deed dated July 16, 1990 filed in the Franklin County Clerk's Office in Liber 547 at page 680;

25. 74 Wellington Street, in the Village of Malone, County of Franklin, more particularly described in a Deed dated July 29, 1993 filed in the Franklin County Clerk's Office in Liber 596 at page 93.

26. Brainardsville Road, in Town of Malone, County of Franklin, more particularly described in a Deed dated June 30, 1993 filed in the Franklin County Clerk's Office in Liber 595 at page 199.

Personal Property

27. ONE 1995 GMC 4DR.,
BLUE IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GKDT13W7SK520979

28. ONE 1985 CHEVROLET BLAZER
RED IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1G8CT18B1F0163484

29. ONE 1997 GMC PICKUP GMT 400
BLUE IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 2GTEK19R4V1541670
NEW YORK REGISTRATION MM8511

30. ONE 1988 CHEVROLET CAMARO CONV.
TEAL IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1G1FP31F8JL101354
NEW YORK REGISTRATION P812UH

31. ONE 1995 CHEVROLET PICKUP
WHITE IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GCCS1449SK146219
NEW YORK REGISTRATION 27529AC

32. ONE 1994 BOMBARDIER - BOAT
BEARING VEHICLE IDENTIFICATION
NUMBER ZZN25850A494
NEW YORK REGISTRATION 3597FD

33. ONE 1990 CHEVROLET PICKUP
WHITE IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 2GCFK29K9L1142831
PARKED WITHOUT PLATE AT FOUNTAIN'S , W. MAIN ST.

34. ONE 1994 GMC SUBURBAN
BROWN IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GKFK16K9RJ737227
NEW YORK REGISTRATION FLW788

35. ONE 1993 FORD VAN F700 DIESEL
GREEN IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1FDWK74C3PVA00102
NEW YORK REGISTRATION RN1414

36. ONE 1994 UNITED TRAILER
BEARING VEHICLE IDENTIFICATION
NUMBER 48B500R28R1012727
NEW YORK REGISTRATION 18509H

37. ONE 1994 GMC PICKUP
GREY IN COLOR, BEARING VEHICLE IDENTIFICATION
NUMBER 1GTCS1444RK525946
NEW YORK REGISTRATION 27617AC

38. ONE 1993 PRICE - BOAT
BEARING VEHICLE IDENTIFICATION
NUMBER ZZA09009H393
NEW YORK REGISTRATION 3501FD

39. ONE 1989 IMPERIAL - BOAT
BEARING VEHICLE IDENTIFICATION
NUMBER ALSMD055C989
NEW YORK REGISTRATION 9764JY

40. ONE 1970 FORD CONV.
RED IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 0F03H167829
NEW YORK REGISTRATION R3N230

41. ONE 1970 FORD 2DR
RED IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 0TO5R114809

42. ONE 1985 MACK TRACTOR
BEARING VEHICLE IDENTIFICATION
NUMBER 1M2N179Y5FA098655
NEW YORK REGISTRATION TV4770

43. ONE 1994 CHARIOT TRAILER
BEARING VEHICLE IDENTIFICATION
NUMBER 1C9BC1627RL410024
NEW YORK REGISTRATION 47789G

44. ONE 1993 PRINCE TRAILER
BEARING VEHICLE IDENTIFICATION
NUMBER 2REA2S4D8P2Y30870
NEW YORK REGISTRATION 48002G

45. ONE 1989 VENTURA BOAT
BEARING VEHICLE IDENTIFICATION
NUMBER 186RJB1S8KH000015
NEW YORK REGISTRATION 95911S

46. ONE 1994 SHORE/LANDER TRAILER
BEARING VEHICLE IDENTIFICATION
NUMBER 1MDAKGL15RM655260
NEW YORK REGISTRATION 18502H

Substitute Assets of Defendant Fabian Hart

Real Property

47. Route 95, Box 45, in the Town of Bombay, County of Franklin, more particularly described in a Deed dated May 21, 1993 and filed in the Franklin County Clerk's Office in Liber 598 at page 257.

Personal Property

48. ONE 1992 GMC PICKUP
RED IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 2GTFK29K7N1518543
NEW YORK REGISTRATION JR6599

49. ONE 1995 FORD AEROSTAR XL
GREY IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1FMDA41X6SZA45777
NEW YORK REGISTRATION J857YM

50. ONE 1993 BOMBARDIER SNOWMOBILE
BEARING VEHICLE IDENTIFICATION
NUMBER 01227
NEW YORK REGISTRATION 3449BA

51. ONE 1997 FORD VAN
BLUE IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1FDJE34S7VHA70232
NEW YORK REGISTRATION B6C602

52. ONE 1993 GMC PICKUP
BLACK IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 2GTEK19K2P1564287
NEW YORK REGISTRATION 56588AG

53. ONE 1994 CHEVROLET 2DR CORVETTE
BLACK IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1G1YY22P8R5119540
NEW YORK REGISTRATION T5R350

54. ONE 1994 AR/AC SNOWMOBILE
BLACK IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 9431538
NEW YORK REGISTRATION 3379BA

55. ONE 1995 BOMBARDIER - SNOWMOBILE
GREEN IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 101600415
NEW YORK REGISTRATION 3573BA

56. ONE 1995 BOMBARDIER - SNOWMOBILE
GREEN IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 101400552
NEW YORK REGISTRATION 3574BA

57. ONE 1997 FORD PICKUP
GREEN IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1FTDX1860VNA04958
NEW YORK REGISTRATION 46797AH

58. ONE 1991 REBEL FLAT TRAILER
WHITE IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER EW21699391
NEW YORK REGISTRATION 99122T

59. ONE 1997 FORD PICKUP
RED IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1FTHF26H5VEA72915
NEW YORK REGISTRATION XC8700

60. ONE 1993 FORD PICKUP
BLUE IN COLOR, BEARING VEHICLE
IDENTIFICATION UMBER 1FTHX26G8PKB88635
NEW YORK REGISTRATION XC8700

61. ONE 1994 CADILLAC SEVILLE
WHITE IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GGKY5291RU805895
NEW YORK REGISTRATION W5R978

62. ONE 1992 CHEVROLET 2DR. CORVETTE
BLUE IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1G1YY33P8N5110187
NEW YORK REGISTRATION T5R350

63. ONE 1992 CHEVROLET SUBURBAN
WHITE AND GREEN IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GCEG25K7N7100991
NEW YORK REGISTRATION B6C602

64. ONE 1994 LELAND TRAILER
BEARING VEHICLE IDENTIFICATION
NUMBER 1LESH11S0R1002227
NEW YORK REGISTRATION 47692G

Substitute Assets of Defendant Gail Hart

Personal Property

65. ONE 1997 LEXUS SC400
BEARING VEHICLE IDENTIFICATION
NUMBER JT8CH32YXV0053353
NEW YORK REGISTRATION T5R350

66. ONE 1992 YAMAHA SNOWMOBILE
BEARING VEHICLE IDENTIFICATION
NUMBER 89F000124

67. ONE 1996 FORD SUBURBAN, PR
BEARING VEHICLE IDENTIFICATION
NUMBER 1FMDU34X3TUA58403
NEW YORK REGISTRATION E796YR

Substitute Assets of Defendant Anthony Laughing

Real Property

68. The building known as Tony's Vegas International ("TVI"), located at the intersection of Magee Road and Route 37 on the St. Regis Mohawk Indian Reservation.

69. Several parcels of land being in the Town of Bombay, County of Franklin and State of New York in the name of Anthony Laughing.

Personal Property

70. ONE 1994 GMC YUKON
BLUE IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GTKEK18KXRJ734345
NEW YORK REGISTRATION D978TU

71. ONE 1989 CADILLAC 4DR BROUGHAM
BLUE IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1G6DW51Y7KR728224
NEW YORK REGISTRATION T6R539

72. ONE 1991 MAZDA SUBURBAN.
BLUE IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 4F2CU44X2MUM09017
NEW YORK REGISTRATION DINKER

73. ONE 1990 CHEVROLET PICKUP
BLACK IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GCDK14K0LZ213799
NEW YORK REGISTRATION JZ6362

Substitute Assets of Defendant Sheila Loran

Personal Property

74. ONE 1996 FORD SUBURBAN
GREEN IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1FMDU34X7TZA07196
NEW YORK REGISTRATION J800YM

75. ONE 1995 BUICK RIVIERA - 2DR
GREEN IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1G4GD221XS4708204
NEW YORK REGISTRATION PDS629

Substitute Assets of Defendant Larry Miller

Real Property

76. McIntyre Road, Town of Massena, County of St. Lawrence, more particularly described in a Deed dated November 30, 1994 and filed with the St. Lawrence County Clerk's Office in Liber 1085 at Page 23;

77. 167 South Grasse River Road, in the Town of Massena, County of St. Lawrence, more particularly described in a Deed dated April 24, 1974 and filed with the St. Lawrence County Clerk's Office on in Liber 893 at page 577.

78. R.R. #3, Box 284, in the Town of Massena, County of St. Lawrence, more particularly described in a Deed dated August 21, 1992 and filed with the St. Lawrence County Clerk's Office in Liber 1063 at page 412;

Personal Property

79. ONE 1997 CHEVROLET BLAZER - 4DR
GREEN IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GDNT13W3VK203532
NEW YORK REGISTRATION R463GH

80. ONE COIN COLLECTION APPRAISED AT $72,944.11

Substitute Assets of Defendant Larry Thompson

Personal Property

81. ONE 1994 CHEVROLET UTILITY
BEARING VEHICLE IDENTIFICATION
NUMBER 1GBJ7H1J2RJ107908
NEW YORK REGISTRATION IP3240

82. ONE 1994 CHEVROLET PICKUP
MAROON IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GCHK33N0RJ407104
NEW YORK REGISTRATION XM3432

83. ONE 1993 BOMBA - BOAT
BEARING VEHICLE IDENTIFICATION
NUMBER ZZN43233C393
NEW YORK REGISTRATION 3471FD

84. ONE 1993 BOMBA - BOAT
BEARING VEHICLE IDENTIFICATION
NUMBER ZZN41364B393
NEW YORK REGISTRATION 3472FD

85. ONE 1996 DODGE PICKUP
TAN IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 3B7HF13Z0TM110212
NEW YORK REGISTRATION XW1231

86. ONE 1955 CHEVROLET 2D
BLACK IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 51011851221
NEW YORK REGISTRATION Y3Z432

87. ONE 1994 SCARAB - BOAT
BEARING VEHICLE IDENTIFICATION
NUMBER WELDHA36L394
NEW YORK REGISTRATION 2113HJ

88. ONE 1994 CONTINENTAL - TRAILER
BEARING VEHICLE IDENTIFICATION
NUMBER 1ZJBA2825Q1033919
NEW YORK REGISTRATION 27493H

89. ONE 1993 SHORE/LANDER - TRAILER
BEARING VEHICLE IDENTIFICATION
NUMBER 1MDAKGL1XPA598200
NEW YORK REGISTRATION 76359F

90. ONE 1991 SHORE/LANDER TRAILER
BEARING VEHICLE IDENTIFICATION
NUMBER 1MDAK8G16MD516974
NEW YORK REGISTRATION 88459E

91. ONE 1993 NOMAN - UTIL.
BEARING VEHICLE IDENTIFICATION
NUMBER 9618WT0677
NEW YORK REGISTRATION 98513J

Substitute Assets of Defendant Loran Thompson

Personal Property

92. ONE 1989 CHEVROLET PICKUP
RED IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GCGK24K8KE113586
NEW YORK REGISTRATION XR7410

93. ONE 1994 CHEVROLET PICKUP
BLUE IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GCFK24H9RZ278100
NEW YORK REGISTRATION XR7408

94. ONE 1990 KARAV - TRAILER
BEARING VEHICLE IDENTIFICATION
NUMBER 186BXA164LH001161
NEW YORK REGISTRATION 78912F

95. ONE 1994 EZ/LOADER - BOAT TRAILER
BEARING VEHICLE IDENTIFICATION
NUMBER 1ZE1RGX15RN004625
NEW YORK REGISTRATION 58930G

Substitute Assets of Defendant Charles White

Personal Property

96. ONE 1987 CHEVROLET PICKUP
GREY IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GCDR14K2HF370903

97. ONE 1988 GMC UTILITY
BEARING VEHICLE IDENTIFICATION
NUMBER 2GDHG31K2J451593
NEW YORK REGISTRATION JZ6441

98. ONE 1997 FORD EXPEDITION
RED IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1FMFU18L3VLA57958

99. ONE 1997 JEEP SUBURBAN
BLACK IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1J4FY49S6VP516080
NEW YORK REGISTRATION P410UH

100. ONE 1992 CHEVROLET CORVETTE CONV.
RED IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1G1YY33P6N5113556
NEW YORK REGISTRATION R8R788

101. ONE 1985 BUICK 2DR
RED IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1G4BP37Y2FH850901

102. ONE 1995 US CAR VAN - TRAILER
RED IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 4PL500L28S1000746
NEW YORK REGISTRATION 22965J

103. ONE 1990 PA/AR TRAILER
BEARING VEHICLE IDENTIFICATION
NUMBER 40LAB2428LP009296
NEW YORK REGISTRATION 76171F

104. ONE 1992 AQUALAND - TRAILER
BEARING VEHICLE IDENTIFICATION
NUMBER TIF00469B292TRL
NEW YORK REGISTRATION 79005S

Pursuant toTitle 18, United States Code, Section 982.

FORFEITURE ALLEGATION II RELATING TO COUNT THREE

1. The allegations contained in Count Three of this Indictment are hereby realleged and incorporated by reference herein for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 982.

2. Pursuant to Title 18, United States Code, Section 982(a)(1), upon conviction, **LARRY MILLER, NICK MILLER, VICTORIA GLINES, and TIM GLINES,** the defendants, shall forfeit to the United States all right, title and interest in any and all property, real or personal, involved in said offense(s) in violation of Title 18, United States Code, Sections 1956, and all property traceable to such property, including the following money or other property that was the subject of each offense and all property used in any manner or part to commit those violations.

3. The intent of the United States of America to forfeit such property includes, but is not limited to, the following property:

CASH PROCEEDS

4. Approximately $ 79,672,469.62 in United States currency, in that such sum in aggregate is equal to the amount laundered as charged in Count Three. Said defendants are jointly and severally liable to the United States for these amounts, such amount includes, but is not limited to the following:

PROPERTY INVOLVED IN MONEY LAUNDERING TRANSACTIONS OR TRACEABLE TO SUCH PROPERTY

Property of Defendant Victoria and Timothy Glines

Personal Property

5. $7,920.00 IN CANADIAN CURRENCY

6. $2,000.00 IN U.S. CURRENCY

7. $12,900.00 IN U.S. CURRENCY

Property of Defendant Larry Miller

Personal Property

8. $24,558.00 IN U.S. CURRENCY

Substitute Assets Provision

9. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants--

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 18, United States Code, Section 982(b), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property, including, but not limited to, the following property:

SUBSTITUTE ASSETS

Substitute Assets of Defendant Timothy and Victoria Glines

Real Property

10. 20 Westwood Drive, Town of Massena, County of St. Lawrence, more particularly described in a Deed dated February 28, 1995 and filed with the St. Lawrence County Clerk's Office in Liber 1087 at page 338.

Substitute Assets of Defendant Timothy Glines

Personal Property

11. ONE 1989 GMC VAN
BLUE IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GDEG25K4K7505987
NEW YORK REGISTRATION H114MK

Substitute Assets of Defendant Victoria Glines

Personal Property

12. ONE 1989 MITSUBISHI GALANT - 4DR.
GREY IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER JA3BR56V5KZ029733
NEW YORK REGISTRATION J741YM

Substitute Assets of Defendant Nick Miller

Real Property

13. 5 Rivercrest Drive, Town of Massena, County of St. Lawrence, more particularly described in a Deed dated August 25, 1994 and filed with the St. Lawrence County Clerk's Office in Liber 1082 at page 156.

Personal Property

14. ONE 1995 LEXUS ES 300
BEARING VEHICLE IDENTIFICATION
NUMBER JT8GK13T0S0077389
NEW YORK REGISTRATION F209UN

15. ONE 1995 GMC 4DR
BLACK IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GKDT13W7SK533716
NEW YORK REGISTRATION Y3Z367

16. ONE 1993 YAMAHA SNOWMOBILE
BEARING VEHICLE IDENTIFICATION
NUMBER 8AL001105
NEW YORK REGISTRATION 1593DF

Substitute Assets of Defendant Larry Miller

Real Property

17. 8650 W. Washburn, in the County of Clark, City of Las Vegas, more particularly described in a Deed dated April 4, 1995 and recorded in the Clark County Recorder's Office in Book 960130 as Instrument No. 01470;

18. El Campo Grande Avenue near Kevin Street (2 parcels), in the County of Clark, City of Las Vegas, more particularly described in a Deed filed with the Clark County Recorder's Office on or about January 24, 1997;

19. Corbett near Kevin Street, (2 parcels) in the County of Clark, City of Las Vegas, more particularly described in a Deed filed with the Clark County Recorder's Office on or about January 24, 1997;

20. 5837 El Capitan Way, in the County of Clark, City of Las Vegas, more particularly described in a Deeds filed in the Clark County Recorder's Office dated June 29, 1987, November 20, 1989, December 12,1989 and September 14, 1993; and

21. 3601 West Sahara Avenue, Las Vegas, Nevada on which is located a commercial building/shopping center under the corporate name of West Sahara Corporation.

Pursuant to Title 18, United States Code, Section 982.

FORFEITURE ALLEGATION III RELATING TO COUNT FIVE

1. The allegations contained in Count 5 of this Indictment are hereby realleged and incorporated by reference herein for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 982.

2. Pursuant to Title 18, United States Code, Section 982(a)(1), upon conviction, **ROBERT J. TAVANO, SR.; LEWIS TAVANO; SHEILA LORAN; LORAN THOMPSON; CHARLES WHITE, a/k/a "BUCK",** the defendants, shall forfeit to the United States all right, title and interest in any and all property, real or personal, involved in said offense(s) in violation of Title 18, United States Code, Sections 1956, and all property traceable to such property, including the following money or other property that was the subject of each offense, and all property used in any manner or part to commit those violations.

3. The intent of the United States of America to forfeit such property includes, but is not limited to, the following property:

CASH PROCEEDS

4. Approximately $ 50,103,128.97 in United States currency, in that such sum in aggregate is equal to the amount laundered as charged in Count Five. Said defendants are jointly and severally liable to the United States for these amounts.

Substitute Assets Provision

5. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants--

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 18, United States Code, Section 982(b), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property, including, but not limited to, the following property:

SUBSTITUTE ASSETS

Substitute Assets of Defendant Sheila Loran

Personal Property

6. ONE 1996 FORD SUBURBAN
GREEN IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1FMDU34X7TZA07196
NEW YORK REGISTRATION J800YM

7. ONE 1995 BUICK RIVIERA - 2DR
GREEN IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1G4GD221XS4708204
NEW YORK REGISTRATION PDS629

Substitute Assets of Defendant Robert J. Tavano

Real Property

8. 953 Lafayette Avenue, City of Niagara Falls, more particularly described in a Deed dated December 23, 1996 and filed with the Niagara County Clerk's Office in Liber 2207 of Deeds at page 223;

Personal Property

9. ONE 1995 CHEVROLET SUBURBAN
BLACK IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GNDT13W9SK119694
NEW YORK REGISTRATION A324KC

10. ONE 1995 LEXUS ES 300
GREEN IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER JT8GK13T5S0095919
NEW YORK REGISTRATION F805JC

11. ONE 1996 CHEVROLET SUBURBAN
GREEN IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 3GNFK16R7TG124144
NEW YORK REGISTRATION F851BZ

12. ONE 1997 CHEVROLET SUBURBAN
RED IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GNDT13W6VK101805
NEW YORK REGISTRATION J375DD

13. ONE 1992 BUICK LESABRE 4DR
RED IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1G4HP53L4NH536732
NEW YORK REGISTRATION K6U981

14. ONE 1993 CHEVROLET SUBURBAN
GREEN AND TAN IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1GNDT13W5P2149119
NEW YORK REGISTRATION K5U836

Property of Defendant Lewis Tavano

Real Property

15. 1100 Falconhead Lane #202, in the County of Clark, City of Las Vegas, described in paperwork filed with the Clark County Recorder's Office.

Pursuant to Title 18, United States Code, Section 982.

FORFEITURE ALLEGATION IV RELATING TO COUNT SEVEN

1. The allegations contained in the Introduction and Count Seven of this Indictment are realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 1963.

2. **L. David Jacobs** and **Anthony L. Laughing** have acquired and maintained interests in violation of Section 1962, and have property constituting, and derived from, proceeds which they obtained, directly and indirectly, from racketeering activity in violation of Title 18, United States Code, Section 1962, thereby making such property forfeitable by the United States of America pursuant to Title 18, United States Code, Sections 1963(a)(1) and 1963(a)(3). The intent of the

United States of America to forfeit such property includes, but is not limited to, the following property:

CASH PROCEEDS

3. The sum of approximately $185,000.00 in U.S. Currency, constituting proceeds obtained from racketeering activity as charged in count seven of this Indictment. Said defendants are jointly and severally liable to the United States for this amount.

Substitute Assets Provision

4. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants--

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 18, United States Code, Section 1963(m), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property, including, but not limited to, the following property:

SUBSTITUTE ASSETS

Substitute Assets of L. David Jacobs

Personal Property

5. ONE 1993 CADILLAC ELDORADO
GREEN IN COLOR, BEARING VEHICLE
IDENTIFICATION NUMBER 1G6EL1299PU602285
HAS FLORIDA PLATES

6. ONE 1996 SEA RAY - BOAT
BEARING VEHICLE IDENTIFICATION
NEW YORK REGISTRATION 5567UN

7. ONE 1994 SHORE/LANDER BOAT TRAILER
BEARING VEHICLE IDENTIFICATION
NUMBER 1MDDX4J17RF634124
NEW YORK REGISTRATION 76369F

Pursuant to Title 18, United States Code, Section 1963.

Dated: July 10, 1997

Sandra Courtney
Grand Jury Foreperson

Thomas J. Maroney
United States Attorney

By: G.A. West
Gregory A. West
Assistant U.S. Attorney
Bar Roll No. 501530

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